

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

2006 JUL 12 A 9:35

DECLARATION FILED CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

GOFF GROUP, INC., et al.,

Plaintiffs,

v.

PHOENIX-DURANGO, LLC, et al.,

Defendants,

v.

GOFF GROUP, INC., et al.,

Counterclaim Defendants.


CASE NO. CV-2006-00389-SRW

ACCEPTANCE AND WAIVER

TROY KING, Attorney General of the State of Alabama, acknowledges service of the **Answer of AAA Groundskeepers, LLC** in the above-styled cause pursuant to §6-6-227 *Code of Alabama*, 1975 (Attached). The Attorney General, having filed this Acceptance and Waiver in this action, hereby waives any further service upon him of any pleadings, discovery and other matters filed in this cause and presently waives the right to be heard.

Respectfully submitted,

TROY KING, KIN047  
ATTORNEY GENERAL

  
BILLINGTON M. GARRETT, GAR029  
ASSISTANT ATTORNEY GENERAL

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 11<sup>th</sup> day of July, 2006, served a copy of the foregoing by first-class United States Mail, postage prepaid and addressed upon the following:

Paul L. Beckman, Jr., Esquire  
Capouano, Beckman, Russell & Gregg, L.L.C.  
Post Office Drawer 4689  
Montgomery, Alabama 36103

Thomas T. Gallion, III, Esquire  
Jamie Austin Johnson, Esquire  
Haskell Slaughter Young & Gallion, L.L.C.  
Post Office Box 4660  
Montgomery, Alabama 36103-4660

Lewis B. Hickman, Esquire  
915 South Hull Street  
Montgomery, Alabama 36104

Clyde Ellis Brazeal, III, Esquire  
Vernon L. Well, II, Esquire  
Walston Wells Anderson & Bains, L.L.P.  
Post Office Box 830642  
Birmingham, Alabama 35283-0642

Jason James Baird, Esquire  
Slaten & O'Connor, P.C.  
105 Tallapoosa Street, Suite 101  
Montgomery, Alabama 36104

Companion Property & Casualty  
Insurance Company  
c/o James F. Garrett  
Registered Agent  
184 Commerce Street  
Montgomery, Alabama 36104

SunTrust Bank  
c/o The Corporation Company  
Registered Agent  
2000 Interstate Park Drive  
suite 204  
Montgomery, Alabama 36109

Atkinson, Haskins, Nellis, Holeman,  
Brittingham  
1500 ParkCentre  
525 South Main Street  
Tulsa, Oklahoma 74103-4524

Winston Whitehead Edwards, Esquire  
David Cushing Hilyer, Esquire  
Craddock Reneker & Davis, L.L.P.  
4142 Carmichael Road, Suite C  
Montgomery, Alabama 36106-2802

MBNA America Bank  
MBNA America Bank (Delaware)  
Registered Agent, MBNA America  
Bank (Delaware)  
1100 North King Street  
Wilmington, Delaware 19884

Kemmons Wilson, Inc.  
CSC Lawyers Incorporating Service, Inc.  
Registered Agent  
150 Perry Street  
Montgomery, Alabama 36104

Willis of North America  
The Corporation Trust Company  
Registered Agent  
1209 Orange Street  
Wilmington, Delaware 19801

Greenwich Insurance Company  
c/o S. David Parsons, Commissioner  
Registered Agent for Greenwich  
Alabama Department of Insurance  
201 Monroe Street, Suite 1700  
Montgomery, Alabama 36130-3351

XL Specialty Group  
c/o Richard Ball, Registered Agent  
2000 Interstate Park Drive, Suite 204  
Montgomery, Alabama 36109

Stuart Allan & Associates, Inc.  
CSC Lawyers Incorporating Service, Inc.  
Registered Agent  
150 South Perry Street  
Montgomery, Alabama 36104

Daniel Realty Company  
Registered Agent  
Meadow Brook North, LLC  
3595 Grandview Parkway, Suite 400  
Birmingham, Alabama 35243-1930

D. David Parsons, Commissioner  
Registered Agent for Robert N. Bowick  
322 Fox Den Court  
Destin, Florida 32541-4317

CSC Corporation Service Company  
Registered Agent for Cameron M. Harris  
& Company, Inc.  
327 Hillsborough Street  
Raleigh, North Carolina 27603

Leura Garrett Canary  
United States Attorney for Middle  
District of Alabama  
One Court Square, Suite 201  
Montgomery, Alabama 36104

Alberto R. Gonzales  
Attorney General of the United States  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-00001

G. Thomas Surtees, Commissioner  
Alabama Department of Revenue  
50 North Ripley Street  
Montgomery, Alabama 36132

William Joseph Duncan  
c/o Southern Brokerage Services, Inc.  
80 TechnaCenter Drive  
Montgomery, Alabama 36117

A handwritten signature in black ink, appearing to read "Billington M. Garrett", is written over a horizontal line.

BILLINGTON M. GARRETT, GAR029  
ASSISTANT ATTORNEY GENERAL

**ADDRESS OF COUNSEL:**

Office of the Attorney General  
Alabama State House  
11 South Union Street  
Montgomery, Alabama 36130-0152  
334-242-7300  
334-353-8235 (Fax)

§6-6-227. Persons to be made parties; rights of persons not parties.

All persons shall be made parties, who have, or claim, any interest which would be affected by the declaration, and no declaration shall prejudice the rights of persons not parties to the proceeding. In any proceeding which involves the validity of a municipal ordinance, or franchise, such municipality shall be made a party and shall be entitled to be heard; and if the statute, ordinance, or franchise is alleged to be unconstitutional, the Attorney General of the state shall also be served with a copy of the proceeding and be entitled to be heard. (Act 1935, No. 355, p. 777; Code 1940, T.7, § 166.)